



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

September 29, 2014

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To: Supervisor Don Knabe, Chairman
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Supervisor Zev Yaroslavsky
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From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE – STATUS OF COUNTY-SPONSORED LEGISLATION

This memorandum provides the status of County-sponsored legislation for which the Governor took action on September 28, 2014.

- **Legislation on Conversion Technology**

- **SB 498 (Lara)** - related to including conversion technologies in the definition of biomass conversion, was signed by the Governor.

- **Legislation to Combat Human Trafficking**

- **SB 473 (Block)** - related to gang enhancements for human trafficking, was vetoed by the Governor.
- **SB 955 (Mitchell)** - related to wiretaps in human trafficking cases, was signed by the Governor.
- **SB 1388 (Lieu)** - related to increased penalties for individuals who solicit minors, was signed by the Governor.

County-Sponsored Legislation on Conversion Technology

SB 498 (Lara), which as amended on June 26, 2014, would: 1) include conversion technologies in the definition of "biomass conversion"; 2) define "biomass conversion" to mean the production of heat, fuels, or electricity by the controlled combustion of, or the

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use of other non-combustion thermal conversion technologies on specified materials, when separated from other solid waste; 3) require a solid waste facility sending materials to a biomass conversion facility to ensure that the materials sent are limited to those specified materials; 4) authorize a local enforcement agency to inspect the solid waste facility, as specified; and 5) require the owner or operator of a biomass conversion facility to submit an annual report to the department, under penalty of perjury, containing specified information for the preceding year, was signed by the Governor on September 28, 2014. This measure takes effect January 1, 2015.

SB 498 is intended to accomplish the objectives of **County-sponsored SB 804 of 2013**, which was vetoed by the Governor on October 11, 2013. County sponsorship of both bills was pursuant to a September 25, 2012 Board motion to pursue legislation to encourage the development of waste conversion technologies.

County-Sponsored Legislation to Combat Human Trafficking

SB 473 (Block), which as amended on August 7, 2014, would add human trafficking to the list of felony offenses that may be used to establish a pattern of criminal gang activity pursuant to Proposition 21 of 2000 and make an individual eligible for enhanced criminal sentences and penalties, was vetoed by the Governor on September 27, 2014. SB 473 was co-sponsored by the County.

In his veto message, the Governor indicated that under current law, human trafficking convictions impose substantial punishment, up to 20 years for sex trafficking offenses and 15 years-to-life for certain crimes involving children. He noted these sentences are more than three times the punishment that existed two years ago, and no evidence has been presented to support another set of enhancements as proposed by SB 473.

The Governor further noted that he signed AB 1610, AB 1791, **County-sponsored SB 955** and **County-sponsored SB 1388**, bills that will solidly enhance enforcement of human trafficking laws through use of wiretap, ensuring the availability of a victim's testimony at trial and strengthening penalties for certain human trafficking crimes involving minors.

SB 955 (Mitchell), which as amended on August 18, 2014, would add human trafficking to the list of offenses for which interception of electronic communications (wiretaps) may be ordered, was signed by the Governor on September 28, 2014. This measure takes effect January 1, 2015.

SB 1388 (Lieu, Hill and Mitchell), which as amended on July 2, 2014, would set the minimum fine for conviction of pimping of a minor at \$5,000, to a maximum fine of

\$25,000, from \$20,000. Additionally, this measure would make a person who seeks to purchase or who purchases a commercial sex act solicited from a minor guilty of a misdemeanor punishable in a county jail for not less than 2 days, and not more than one year, or by a fine not exceeding \$10,000, or by both fine and imprisonment. SB 1388 was signed by the Governor on September 28, 2014, and takes effect January 1, 2015.

Previously Reported Actions on Legislation to Combat Human Trafficking

In addition, earlier in the session, the Legislature and the Governor took action on two other legislative measures that made up part of the County's Human Trafficking Legislative Package.

County-supported SB 939 (Block), which as amended on June 23, 2014, would add human trafficking, pimping, and pandering to the specified offenses to which certain jurisdictional requirements apply allowing for the consolidation of multiple charges of these crimes from multiple jurisdictions into a single trial if all district attorneys in counties with jurisdiction agree to the venue, was signed by the Governor on August 22, 2014. This measure is Chapter 246, Statutes of 2014, and takes effect January 1, 2015.

County-sponsored SB 982 (Huff), which as amended on April 29, 2014, would make it either a misdemeanor punishable by not more than one year in county jail or a felony punishable in a county jail for 16 months, two or three years, for individuals who seek to procure, or procure the sexual services of a prostitute if she or he is under 18 years of age and the individual knew, or reasonably should have known, he or she was under 18. The measure would make a second and subsequent violation for that offense a felony punishable in a county jail for up to three years. SB 982 was held in the Senate Appropriations Committee on May 23, 2014 and did not proceed this year.

We will continue to keep you advised.

WTF:RA
MR:IGEA:lm

c: All Department Heads
Legislative Strategist
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